

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

VOICES FOR INTERNATIONAL)	
BUSINESS AND EDUCATION,)	
doing business as International)	
High School of New Orleans)	
)	
Petitioner/Cross-Respondent,)	Case No. 17-60364
)	
v.)	
)	
NATIONAL LABOR RELATIONS)	
BOARD)	
)	
Respondent/Cross-Petitioner.)	
_____)	

**MOTION FOR LEAVE TO FILE AMICI CURIAE BRIEF
OF LOUISIANA ASSOCIATION OF PUBLIC CHARTER
SCHOOLS AND TEXAS CHARTER SCHOOLS
ASSOCIATION IN SUPPORT OF PETITIONER**

Pursuant to Rule 29(b) of the Federal Rules of Appellate Procedure, the Louisiana Association of Public Charter Schools and the Texas Charter Schools Association, by counsel, respectfully move for leave to file an *amicus curiae* brief in support of Petitioner. In support thereof, the Louisiana Association of Public Charter Schools and the Texas Charter Schools Association state as follows:

MEMORANDUM OF LAW

1. The Louisiana Association of Public Charter Schools and the Texas Charter Schools Association (“the Associations”) are statewide nonprofit

membership associations for public charter schools in their respective states. Both Associations have as members more than 90% of the public charter schools in their states. These Associations are committed to supporting and advocating on behalf of their public charter school members.

2. In this instance, the Associations believe public charter schools are “political subdivisions” exempt from the National Labor Relations Act. Based on this conviction, the Associations file this Brief of Amici Curiae in support of Petitioner, which is a member of the Louisiana Association of Public Charter Schools.

3. The Associations jointly believe that all public charter schools in the Fifth Circuit may be impacted by the decision of this Court and desire to inform the Court of their position and urge the Court to find public charter schools exempt as political subdivisions under the NLRA.

4. The relief Petitioner seeks will allow the Fifth Circuit to establish a rule which can be applied evenly and consistently across all public charter schools in the Fifth Circuit. All public charter schools in the Fifth Circuit are created by their states pursuant to statute and are charged with implementation of the state’s system of public education. All of these schools are defined as “public schools” by state statute and are considered a part of each state’s public education system.

WHEREFORE, the Associations respectfully request that the Court grant their motion for leave to file an amici curiae brief and accept for filing the amici curiae brief attached as Exhibit A.

Dated: August 14, 2017

Respectfully submitted,

/s/ Thomas A. Fuller

Thomas A. Fuller

Lead Counsel of Record

Texas State Bar No. 50511887

THE FULLER LAW GROUP, PLLC

2000 E. Lamar Blvd.

Suite 600

Arlington, Texas 76006

Telephone: (817) 462-4087

Facsimile: (817) 533-5209

tommy@tfullerlaw.com

*Counsel for the Louisiana Association
of Public Charter Schools and the
Texas Charter Schools Association*

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of August, 2017, I filed the foregoing via the CM/ECF system and served the foregoing via the CM/ECF system on all counsel who are registered CM/ECF users.

/s/ Thomas A. Fuller

Thomas A. Fuller